

Message Text

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ACTION ERDA-07

INFO OCT-01 NEA-10 ISO-00 AID-05 JUSE-00 TRSE-00 FEA-01
ACDA-07 CIAE-00 INR-07 IO-13 L-03 NSAE-00 NSC-05
EB-08 NRC-05 OES-06 DODE-00 SS-15 SP-02 /095 W
-----171132Z 077802 /15
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INFO AMEMBASSY NEW DELHI

C O N F I D E N T I A L SECTION 1 OF 3 BOMBAY 0630

E.O. 11652 GDS
TAGS: TECH, IN
SUBJ: TARAPUR: COMMENTS ON J.C. SHAH'S LETTER OF MARCH 9, 1977

REF: BOMBAY 595

1. SUMMARY: J.C. SHAH SAYS HIS MARCH 9 LETTER WAS DESIGNED TO PUT ON RECORD FACT THAT INDIANS HAVE ALREADY INSTITUTED A PROGRAM THAT WILL CUT-BACK TARAPUR ELECTRICITY OUTPUT IN NEXT 14 MONTHS BECAUSE OF DELAYS BY U.S. IN CARRYING OUT TARAPUR NUCLEAR COOPERATION PROGRAM. SHAH SAYS IAEC HAD HOPED AVOID SUCH ACTION AT LEAST UNTIL NEW U.S. ADMINISTRATION HD COMPLETED ITS REVIEW OF NUCLEAR POLICY, BUT ITS OBLIGATIONS REQUIRED THAT THE CUT-BACK, WHICH HAD BECOME INEVITABLE, BE INSITUTED DURING CURRENT RECHARGE OF UNIT I. HE SAYS HIS LETTER WAS PHRASED IN NON-CONFRONTATIONAL TERMS SO AS NOT TO DAMAGE PROPSPECTS FOR INTER-GOVERNMENTAL TALKS ON TARAPUR WHICH HE HOPES WILL RESUME SOON. END SUMMARY.

2. IN AN EFFORT TO DETERMINE WHY THE IAEC DECIDED TO CUT BACK ITS GENERATING PROGRAM AT TARAPUR AT THIS TIME, CONGEN HAD A LONG DISCUSSION ON MARCH 14TH, WITH THE LETTER'S AUTHOR, J.C. SHAH. MR SHAH IS IN EFFECT IAEC CHAIRMAN SETHNA'S DEPUTY FOR POWER GENERATION PROGRAMS AND IS GENERALLY REGARDED WITHIN THE CONFIDENTIAL

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INDIAN NUCLEAR ESTABLISHMENT AS A "HARD-LINER," AT LEAST AS FAR AS RELIANCE ON FOREIGN COOPERATION IS CONCERNED. SHAH MADE CLEAR AT THE OUTSET OF THE CONVERSATION THAT THE DECISION TO CUT BACK THE POWER PROGRAM WAS NOT AN EASY ONE AND THAT HIS LETTER EXPLAINING IT WAS NOT EASY TO WRITE. HE INDICATED HE COULD NOT OFFER MUCH IN THE WAY OF EXPLICIT EXPLANATION AND SAID LETTER WOULD HAVE TO SPEAK PRETTY MUCH FOR ITSELF.

HE ADMITTED THAT ITS TEXT FALLS WELL SHORT OF ITS OWN STATED AIM, WHICH IS TO KEEP THE USG INFORMED OF THE "BASIS AND IMPLICATIONS" OF THE CUT-BACK IN THE PLANNED NEXT FUEL CYCLE FOR UNIT I OF THE TWIN TARAPUR REACTORS.

3. THIS CONVERSATION REVEALED THAT THE FOLLOWING FACTORS PLAYED A ROLE IN INDIA'S DECISION:

(A) THERE WAS AN INCLINATION IN THE IAEC TO AVOID PRECIPITATE ACTION UNTIL TALKS HAVE BEGUN WITH THE NEW U.S. ADMINISTRATION ON TARAPUR, BUT THE TECHNICAL ARGUMENTS FOR CUTTING BACK BECAME COMPELLING ONCE IT BECAME CLEAR THAT A CUT-BACK WAS INEVITABLE. THE TASK WAS TO MAXIMIZE THE NUMBER OF OPERATING MONTHS FOR THE REACTORS IN THE LIGHT OF THE CONSTRAINTS OF FUEL SUPPLY AND WASTE STORAGE SPACE (MAINLY THE LATTER).

(B) THE GOI HAS BECOME INCREASINGLY FRUSTRATED OVER ITS INABILITY TO GET THE U.S. TO COME TO GRIPS WITH THE STORAGE PROBLEM, FOR WHICH U.S. APPROVAL IS NECESSARY. LINKING THE CUT-BACK EXPLICITLY TO BOTH FUEL SUPPLY AND STORAGE MAKES THIS POINT IN WAY THAT THE IAEC HOPES WILL CAUSE THE USG TO DEAL WITH STORAGE ISSUE MORE EXPEDITIOUSLY.

(C) FROM THE GOI'S OWN STANDPOINT THE ACTION DEMONSTRATES DETERMINATION TO PROTECT WEST INDIA'S POWER SUPPLY AS BEST GOI CAN. THE ACTION ALSO SHOWS THAT INDIA IS PREPARED TO PAY A STIFF PRICE IN FOREGOING ELECTRIC POWER TO KEEP WHAT IT REGARDS AS AN ESSENTIAL PART OF ITS NUCLEAR POLICY INTACT.

(D) THE LETTER WAS PHRASED IN TECHNICAL TERMS SO AS TO AVOID DAMAGING ATMOSPHERE FOR TALKS WITH US ON TARAPUR PROBLEM. SOME PEOPLE IN IAEC HAD ARGUED FOR A TOUGHER STATEMENT, BUT CONFIDENTIAL

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SETHNA WANTED STATEMENT TO REST ON SIMPLE STATEMENT OF TECHNICAL FACTORS THAT UNDERLAY DECISION.

4. FOR FOLLOWING SUBPARAPHS DEAL WITH THESE POINTS IN MORE DETAIL:

(A) DIVERGENCE OF POLICY VIEWS WITHIN GOI. CHAIRMAN SETHNA HAS SAID MANY TIMES THAT THERE ARE THOSE IN THE GOI WHO WISH SIMPLY TO REST THE GOI'S CASE ON TARAPUR STRICTLY ON THE BILATERAL AGREEMENT WHICH IN THEIR VIEW OBLIGATES THE U.S. TO SUPPLY FUEL AS NEEDED AND CONSTRAINS THE GOI TO USE ONLY U.S. FUEL. SETHNA, HOWEVER, HAS LONG BELIEVED THAT

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THE AGREEMENT MUST BE VIEWD IN A LARGER CONTEXT AND, WHILE AVOIDING ANY ACTION THAT WOULD COMPROMISE ANY OF INDIAN BASIC RIGHTS UNDER THE BILATERAL, HE HAS TRIED TO COOPERATE IN WORKING OUT ACCOMMODATIONS TO THE OBJECTIONS THAT HAVE BEEN RAISED IN THE U.S. IN THE PAST 13 MONTHS.

(B) HIS PRINCIPAL ASSOCIATES ON THE TARAPUR PROJECT, N.K. RAO AND J.C. SHAH, THE RESPECTIVE HEADS OF THE NUCLEAR FUEL COMPLEX AND THE ATOMIC POWER AUTHORITY, HAVE A VESTED INTEREST IN COOPERATION AS THEIR FACILITIES DEPEND ON THE CONTINUING SUPPLY OF U.S. FUEL. HOWEVER, NEITHER HAS SETHNA'S BREADTH OF VIEW AND BOTH TEND TO TAKE A CHAUVINISTIC AND NARROW POSITION WHEN THE GOING GETS TOUGH ON SPECIFIC ISSUES. THERE IS NO DOUBT IN CONGEN'S VIEW THAT MOST OF SETHNA'S IMMEDIATE ASSOCIATES WOULD PREFER A TOUGHER LINE THAN HE HAS TAKEN IN TRYING TO WORK OUT THE TARAPUR PROBLEM WITH THE U.S. MOST OF THESE OFFICIALS BELIEVE THAT THEY REFLECT THE PREDOMINANT VIEW IN OTHER PARTS OF THE GOI, PARTICULARLY THE MEA, IN PUSHING A HARD LINE. (CONGEN WOULD NOTE THAT IT HAS HAD LITTLE DIRECT OPPORTUNITY TO TEST THIS PROPOITION. THE EMBASSY IS IN A FAR BETTER POSITION TO JUDGE. CERTAINLY SOME MEA OFFICIALS LIKE M.A. VELLODI NEVER DIRECTLY SHOW ANY SIGNS OF INTRANSIGENCE, EVEN THOUGH THEY MAY BE QUICKER THAN SETHNA TO PUSH TOUGH QUESTIONS). SHAH SAYS HIS LETTER ATTEMPS TO
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BALANCE AND REFLECT THESE VIEWS. FOR THAT REASON, IT DOES NOT FIRECTLY BLAME US FOR THE IAEC DECISION TO CUT BACK ON POWER GENERATION BUT SIMPLY NOTES THAT UNCERTAINTIES OVER THE FUTURE SUPPLY OF FUEL AND ON AN AGREEMENT ON FUEL STORAGE ARE CAUSATIVE FACTORS.

(C) INEVITABILITY OF CUT-BACK. SHAH SAID THAT MANY PEOPLE

IN THE GOI HAD HOPED TO AVOID TAKING ANY ACTION RELATING TO THE TARAPUR PROBLEM UNTIL AFTER THE NEW U.S. ADMINISTRATION HAS HAD A CHANCE TO COMPLETE ITS STUDY OF U.S. NUCLEAR POLICY AND AT LEAST BEGIN TO COME TO GRIPS WITH THE TARAPUR PROBLEM. HOWEVER, EVENTS FORCED THEIR HAND. IF THE ATOMIC POWER AUTHORITY HAD GONE AHEAD WITH THE LAST/KIEFER REPORT PLAN FOR A RECHARGE OF 85 BUNDLES, THERE WOULD HAVE REMAINED ADDITIONAL SPACE FOR ONLY 32 BUNDLES IN THE TARAPUR WASTE POOLS. EVEN WITH SOME ADDITION OF CONVENTIONAL RACKS AND POSSIBLE USE OF PREFRE THERE WAS NO POSSIBILITY OF CREATING ENOUGH ADDITIONAL SPACE TO GO AHEAD WITH THE LONGER CYCLES BASED ON RECHARGE OF 85 BUNDLES. THEREFORE THE TECHNICIANS WERE PERSUASIVE IN ARGUING THAT AN ALTERNATIVE PLAN CALLING FOR SMALLER RECHARGES HAD TO BE CONSIDERED. SHAH ADMITTED THA THE BASIC CONTRAINT IS REALLY DUE TO THE SHORTAGE OF STORAGE SPACE RATHER THAN THE UNCERTAINTIES OVER THE ARRIVAL OF NEW FUEL, BUT HE CAUTIONED THAT HE WOULD NEVER ACCEPT TO BE QUOTED ON THIS POINT AS THE GOI INTENDS FIRMLY TO MAINTAIN ITS FREEDOM TO BLAME THE CUT-BACK, AT LEAST PARTY, ON THE FUEL PROBLEM IF THERE IS ANY DELAY BEYOND MAY IN THE ARRIVAL OF NEW FUEL. APPARENTLY THIS CONCLUSION DERIVES FROM THE GOI BELIEF THAT THE AGREEMENT FOR NUCLEAR COOPERATION IS STRAIGHT FORWARD ON U.S. OBLIGATIONS REGARDING FUEL SUPPLY BUT IT IS LESS EXPLICITLY REGARDING FUEL STORAGE. (D) CONFRONTATION VERSUS COOPERATIVE APPROACH. SHAH SAYS THAT ALL CONCERNED GOI OFFICIALS WANT THE TARAPUR AGREEMENT AND COOPERATION TO CONTINUE, EVEN IF IT INVOLVES SOME CONCESSIONS TO U.S. THAT GO BEYOND STRICT REQUIREMENTS OF BILATERAL AND FUEL SUPPLY CONTRACT. THE ARGUMENT WITHIN THE GOI IS OVER HOW BEST TO KEEP THE CONFIDENTIAL

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AGREEMENTS FUNCTIONING WITHOUT COMPROMISING WHAT INDIANS CONSIDER THE ESSENTIALS OF THEIR NUCLEAR POLICY. SOME GOI OFFICIALS BELIEVE THAT CONCILIATORY GESTURES IN ABSENCE OF

AGREEMENT ON LONGER TERMS FUEL SUPPLY WILL SIMPLY LEAD TO MORE DEMANDS DESIGNED TO MOVE INDIA EVEN CLOSER TOWARD GENERAL RENUNCIATION OF PNES AND A FUNCTIONAL EQUIVALENT OF ACCEPTANCE OF THE NPT BEFORE THERE IS ANY AGREEMENT ON GENERAL WORLD-WIDE NUCLEAR DISARMAMENT. AS SHAH'S LETTER DOES NOT COME DOWN HARD ON THE LEGALISTIC ARGUMENT ON "LIVING UP TO THE CONTRACT," HE BELIEVES THAT IT DOES LEAVE THE WAY OPEN FOR FRUITFUL TALKS, WHICH HE SAYS THE GOI WANTS. WHEN ASKED ABOUT WHAT RESULTS MIGHT COME FROM THESE TALKS INTERMS OF RESPONSE TGIUSG CONCERNS, HE SAID HE TMT THAT EVERYONE IN INDIA RECOGNIZES THAT THE USE OF THEIR REPROCESSING PLANT FOR TARAPUR FUEL IS OUT OF THE QUESTION, AT LEAST UNDER FORESEEABLE CIRCUMSTANCES. HE THOUGHT BILATERAL TALKS COULD IN EFFECT CONFIRM THIS

CONCLUSION. HOWEVER HE CAUTIONED THAT EVEN THIS WOULD BE TOUGH IF IT LOOKS AS IF THERE IS BLATANT DISCRIMINATION AGAINST INDIA ON REPROCESSING. HE CITED SPAIN AND JAPAN

AS EXAMPLES. CONGEN NOTED THAT JAPAN HAS SIGNED NPT SO IS NOT IN SAME BOAT AS INDIA.

(E) NOTICE TO U.S. SHAH SAID THAT ONE OF THE PRINCIPAL PROBLEMS THE GOI HAS HAD IN TRYING TO CARRY OUT THE

NUCLEAR COOPERATION AGREEMENT WITH THE USG OVER THE PAST YEAR IS TO GET US TO FOCUS EFFECTIVELY ON TMD WASTE PROBLEM. SINCE U.S. CONCURRANCE IS ESSENTIAL FOR ANY STORAGE OF THE WASTE IN INDIA, THE GOI CANNOT PROCEED ON

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ITS OWN ON THIS POINT AND IN VIEW OF THE MONEY TIED UP IN THE REPROCESSING PLANT CANNOT UNDERTAKE OTHER LARGE EXPENDITURES FOR STORAGE WITHOUT IRON-CLAD ASSURANCES THAT ANY FACILITIES WILL BE USED. HE SAID THAT SEOM PEOPLE WITHIN THE GOI HAVE BEEN CONCERNED THAT WE MIGHT EVEN LICENSE THE FUEL WITHOUT COMING TO GRIPS WITH THE STORAGE PROBLEM, THEREBY POSING A GREAT DILEMMA FOR THE INDIAN SIDE. CONSEQUENTLY, HIS LETTER HAD LINKED THE TWO PROBLEMS IN A WAY THAT HE HOPES WILL INDUCE THE US GOVERNMENT TO DEAL WITH BOTH OF THEM PROMPTLY AND SERIOUSLY. CONGEN POINTED OUT THAT REDUCING THE LOAD CHARGE MIGHT LEAD SFE USG OFFICIALS TO CONCLUDE THAT THERE WAS A COMMENSURATE REDUCTION IN THE URGENCY OF THE NEED FOR NEW FUEL. SHAH HOPED THAT WE WOULD VIEW THIS CUT-BACK AS AN INDICATION OF THE NEED TO ACCELERATE ACTION ON THE TWIN PROBLEMS OF FUEL SUPPLY AND STORAGE SPACE. A FURTHER DELAY IN THE ARRIVAL OF NEW FUEL WILL, IN HIS VIEW, HAVE TWO EFFECTS: ONE, IT WILL RAISE MORE DOUBTS IN INDIAN MINDS ABOUT OUR ULTIMATE INTENTIONS AND

THEREBY INCREASE DIFFICULTIES IN NEGOTIATING BASIC POINTS, AND TWO, IT WILL INCREASE PRODUCTION COSTS AT THE NFC BY FORCING AN EXTENSION OF THE SCRAP-ONLY RUN, WHICH WILL ALSO PROVIDE INDIAN ADVOCATES OF A TOUGHER LINE WITH AMMUNITION.

(F) HARDSHIP. CONGEN NOTED THAT IT SEEMED THAT AN ALTERNATIVE SET OF ASSUMPTIONS, WHICH WOULD BE QUITE DEFENSIBLE, WOULD HAVE PERMITTED THE GOI TO AVOID AT THIS TIME DEVIATING FROM THE FUEL
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CYCLES ENVISAGED IN THE LAST-KIEFER REPORT. THIS MIGHT HAVE AVOIDED SOME OF THE PRESSURES THAT COULD ARISE FROM THE CUT-BACK UNDERTAKEN BY THE IAEC. SHAH SAID THAT THIS WAS TRUE AND THAT SUCH ASSUMPTIONS WERE CONSIDERED VERY SERIOUSLY RIGHT UP UNTIL THE MOMENT RECHARGING BEGAN. BUT THE IAEC CONCLUDED THAT IT WOULD HAVE BEEN HARD TO DEFEND THE LARGER RECHARGE WHEN IT SEEMED QUITE CERTAIN THAT THIS WOULD RESULT IN "FEWER OPERATING MONTHS" FOR THE REACTORS OVER THE NEXT TWO TO THREE YEARS. IT WOULD ALSO HAVE GIVEN A POORER BURN-UP FACTOR. SHAH SAID THAT AS THE TIME MIGHT WELL NOT BE FAR OFF WHEN IMHE IAEC WOULD HAVE TO DEFEND ITS ACTIONS TO BOTH THE INDIAN PARLIAMENT AND THE INDIAN PUBLIC, IT HAS TO BE ON THE MOST SOLID GROUND. IF HARDSHIPS IN THE FORM OF REDUCED ELECTRICITY SUPPLY ARE UNAVOIDABLE, IT IS NECESSARY TO HAVE PEOPLE UNDERSTAND THAT THESE PROBLEMS ARE BEING TACKLED IN THE MOST RATIONAL WAY POSSIBLE. IN JUSTIFYING THIS POSITION, SHAH CITED THE FOLLOWING FIGURES FOR DIFFERENT FUEL CYCLES, TAKING INTO ACCOUNT UNCERTAINTIES ABOUT BOTH FUEL SUPPLY AND FUEL STORAGE. A 60-BUNDLE RECHARGE WOULD GIVE 33 OPERATING MONTHS; AND 80-BUNDLE RECHARGE WOULD GIVE 28 OPERATING MONTHS; AN 85-BUNDLE RECHARGE WOULD GIVE 30 OPERATING MONTHS. THE BURN-UP FACTOR IS 7 1/2 PERCENT BETTER FOR THE SHORTEST CYCLE THAN FOR THE LONGEST.

5. AS TO NEXT STEPS, SHAH FORESAW (A) TALKS: IN HIS VIEW, IT IS VERY IMPORTANT THAT TALKS BETWEEN THE US AND GOI OFFICIALS BEGIN AS SOON AS POSSIBLE TO TRY TO RESOLVE THE DILEMMA. THE VISIBILITY OF COOPERATIVE EFFORTS TO RESOLVE THE PROBLEM REMAINS VERY IMPORTANT; (B) FUEL MANAGEMENT EXPERT: HE HOPED THAT THE US WOULD SEND SOMEBODY OVER TO CONSULT WITH IAEC ON POSSIBLE SHORT-TERM SOLUTIONS FOR THE STORAGE PROBLEM, SUCH AS HIGH DENSITY RACKING, ADDITION OF CONVENTIONAL RACKS AND THE ANCHORING OF EITHER TO THE POOL FLOOR AND SIDES; (C) XSNM-845. HE HOPED THAT THE NRC WOULD MOVE FORWARD TO AUTHORIZE THIS SHIPMENT TO ARRIVE NO LATER THAN THE MAY DATE FORESEEN IN THE LAST/KIEFER REPORT. THIS WOULD BE AN IMPORTANT ELEMENT IN DEMONSTRATING THAT THE US RECOGNIZES THE STEPS INDIA HAS TAKEN TO MEET THE CONCERNS
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REGISTERED BY THE NRC; EG, BUY-BACK AND OF ITS GOOD INTENTIONS
FOR FUTURE COOPERATION. IN HIS VIEW, ANY FURTHER DELAY IN THIS
SHIPMENT WOULD COMPLICATE AND MAKE MUCH HARDER THE NEGOTIATIONS
ON THE DIFFICULT POINTS THAT LIE AHEAD.
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